



Department of
Neighborhood Services

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

Dear Property Owner(s),

Subject: **Property Recording Ordinance**

In 1993, the City adopted an ordinance requiring all property owners to record their ownership and certain other information with our Department. Exceptions to this recording requirement include ***owner-occupied 1 and 2-family residential properties*** where the ownership is recorded with the Milwaukee County Register of Deeds, owner-occupied condominium units, jails, convents, monasteries, parish rectories, parsonages and similar facilities, hospitals and residential facilities licensed by the city of Milwaukee or the state of Wisconsin or government-owned buildings.

The following are exempt from the property recording ordinance:

- 1) Newly constructed residential and commercial buildings until actual occupancy of the units in the buildings commences;
- 2) Residential and commercial buildings owned for less than 15 calendar days prior to the sale or transfer to new owners; however, the holder of the property during those 15 days must file a seller notification for each property sold or transferred; and
- 3) Vacant lots.

While the information will be used primarily to notify owners of building code violations, it may also be used to inform owners of property-related ordinance changes when they occur. Many owners have already benefited from the use of the recording information. Additionally, the information is available to the Fire and Police Departments to contact you about your property if necessary. This information is available on the City's home page (www.city.milwaukee.gov) on the internet. Select the **Property Data** link. Next, enter the address and select the (Property Recording, Violations, Service Requests, Permits) to view information.

When property recording became effective, some owners stated that they would not bother filing an application because nothing would happen to them. That is not the case. Some of the possible consequences for not filing include:

1. **DAILY FINES of \$150 to \$5000 which can be placed as a lien on your property.**
2. **Tenants may REDUCE THEIR RENT BY 50% in unrecorded properties that have other health or safety violations.**
3. **A monthly \$75 assessment may be added to your tax bill for failure to record property when ordered to record.**

Unfortunately, some owners have left us no choice but to use these sanctions. Please comply with the ordinance by promptly filling out and returning the application form. If you have questions ***after you have read all the instructions*** that follow, call James Styers at (414) 286-8569. Thank you for your cooperation.

Sincerely,
Art Dahlberg
Commissioner Neighborhood Services

PROPERTY RECORDING INSTRUCTIONS

PROPERTIES WHICH MUST BE RECORDED

All persons owning properties (other than owner-occupied one- and two-family residential properties) must record them with the department of Neighborhood Services. For the purpose of this ordinance a “property” is defined as one or more buildings on a single taxkey number. (Residential and non-residential properties must be recorded on separate applications.) Only similar properties with the same transfer/sale date may be included on one application.

If the ownership information is not identical, a separate application is required for each property. (For example, if Jane Smith owns one property by herself and three properties with her father, she must submit two applications; one application for the one she owns by herself and one application for the three she co-owns with her father.)

A separate application is required for each type of ownership. (For example, if Jane Doe is titleholder for one property and is a land contract purchaser for three other properties, she must submit TWO applications; one application for the one in which she is titleholder and one application for the three on the land contract.)

SELLER’S RESPONSIBILITY

Sellers must notify the Department of a new owner’s name and address **within 15 days of the sale or transfer of ownership interest**, by filing a **Seller Notification** form (free of charge). The **Seller Notification** form is the only way to notify the Department that you no longer own the property. Only one owner is required to sign the form. If you no longer own the property in question, you may download a form from our web site (www.milwaukee.gov) and go to the Department of Neighborhood Services Property Recording page. You can also call (414)286-8569 to request a Seller Notification form.

SECTION 1: Type of Application

In this section, check whether this is an original recording (new application), a change of ownership, or an update to an existing application.

An *Original Recording* is one for a property which has never been recorded with the Department of Neighborhood Services. The fee for an original recording is \$35 per property.

A *Change of Ownership* is for a property that has been recorded with the Department. The fee is \$35. Enter date of ownership transfer in the space provided. **Failure to file within 15 calendar days of transfer will result in a double fee (\$70) for each property.**

An *Update to an Existing Application* is required when:

- there is a change of address or phone number for any person/corporation listed on the application, a change in registered agent, operator or preferred contact; OR
- the sale or transfer of ownership is between husband, wife, father, mother, son, daughter, brother, sister, grandfather, grandmother, grandson or granddaughter. The previous owner must have recorded the property prior to transfer/sale; OR
- there has been a satisfaction of a land contract; OR
- there has been a termination of a land contract; OR
- an owner’s name needs to be removed due to a divorce or death.

There is no fee to update an existing application. The update must be filed within 15 days of the change.

SECTION 2: Property Description

Enter the TAXKEY NUMBER and the ADDRESS of the property, including address range (e.g., 121-131 N. Boardwalk Av., not just 121 Boardwalk) and the number of residential units for the taxkey number.

Owners of More Than One Property

You may submit one application and attach a list of additional properties if:

All properties are residential, or all properties are commercial; AND

All properties have identical owners; AND

All properties have the same transfer/sale date.

Mark “Y” for yes on the application at “Additional Property List Attached” and fill in the number of properties listed on the attachment. Be sure to include the correct address, taxkey number, and number of residential units for each property. This attachment must be signed by one owner and notarized. You may download a form from our web site (www.milwaukee.gov) and go to the Department of Neighborhood Services Property Recording page. You can also call (414)286-8569 to request forms.

SECTION 3: Ownership Information

Who Must File a Recording Application

Any person having an ownership interest in a property (other than owner-occupied one- and two-family properties) is required to file. "Owner" is defined as each person who is jointly or severally vested with all or part of the legal title or all or part of the beneficial interest. Both the land contract seller and land contract purchaser must file on the same application if they do not live at the property.

Any change of ownership interest shall be considered a change in ownership. This includes but is not limited to: the number of owners is either increased or decreased; personal ownership is changed to a corporation, LP, LLC, LLP, trust, estate, etc.

Applications must contain the legal name and date of birth of each owner of the property, also a primary home or business address at which personal service of process can be made upon the owner(s) and a business or personal telephone number of each owner where the owner(s) can be readily contacted by the tenant or the Department. **A post office box may not be used as an owner's primary residence.** A P.O. Box may be listed as the optional preferred mailing address.

If the property is owned by more than two owners, attach a signed and notarized list using the same format as on the application. You may download a form from our web site (www.milwaukee.gov) and go to the Department of Neighborhood Services Property Recording page. These forms may be requested by calling (414)286-8569.

IF AN OWNER IS:

SECTION 3A:

A **PERSON** complete Section 3A, including date of birth. The application gives a place to list two individual owners. If property is jointly owned such as husband and wife, each name must be listed separately as Owner 1 and Owner 2.

A **PARTNERSHIP** not registered with the Wisconsin Department of Financial Institutions, Corporate Division, complete Section 3A with each partner's name listed as an owner.

"Doing Business As"

If you are operating a business with a name that is different than the owner's name, complete Section 3A with each owner and complete the "Doing Business As" line in Section 3A.

SECTION 3B:

CORPORATION, LIMITED PARTNERSHIP, LIMITED LIABILITY COMPANY, or LIMITED LIABILITY PARTNERSHIP

Complete Section 3B, listing information as registered with the Wisconsin Department of Financial Institutions, Corporate Division including name and address of the registered agent and the corporate division identification number. This information must match the State file exactly. Visit www.wdfi.org for your listing. If it does not match, please make corrections with the State, and identify on your application that the corrected information is pending. Wherever a Corporation, Limited Liability Corporation, or Limited Liability Partnership is used, there must be a person listed as a preferred contact with address and phone number for each. Example: If the owner is a corporation and the registered agent is a corporation, a person must be listed for both.

NOTE: Call (608) 261-7577, Wisconsin Department of Financial Institutions, Corporate Division for your assigned identification number.

SECTION 3C:

TRUST, ESTATE OR OTHER

Complete Section 3C, listing trust, estate, etc. as owner. If the owner is a trust, also provide the name of the trustee. If the owner is an estate, provide the name of the personal representative. (If owner is Other, please explain.)

SECTION 4: Operator

An operator is required if none of the owners reside in the counties of Milwaukee, Racine, Washington, Waukesha, Ozaukee, Kenosha or Walworth.

THE OPERATOR'S BUSINESS OR PERSONAL ADDRESS MUST BE IN ONE OF THESE COUNTIES.

Provide the legal name, address and telephone number of the person authorized to act as operator of the property. If the operator is a corporation, limited partnership, or limited liability company, list the name and address of the registered agent and the identification number as registered with the Wisconsin Department of Financial Institutions Corporate Division. This information must match the State file exactly. Visit www.wdfi.org for your listing. If it does not match, please make corrections with the State, and identify on your application that the corrected information is pending.

NOTE: An operator's signature is required for the Operator's Statement in Section 4 and it must be notarized.

PROPERTY RECORDING INSTRUCTIONS

SECTION 5: Preferred Primary Contact

You may designate a preferred primary contact here for matters relating to property maintenance. If the preferred primary contact is one of the people listed in Sections 3 or 4 you need only enter their name in this section.

SECTION 6: Signatures

At least one owner is required to sign the application, notarized as an affidavit under penalty of s946.32(1)(a) Wisconsin Statutes.

If the owner is a corporation, a corporate officer must sign the application in the space provided and provide their title.

If the owner is a limited partnership, the manager must sign the application in the space provided and provide their title.

If the owner is a limited liability company, a manager or member must sign in the space provided and provide their title.

If the owner is a limited liability partnership a partner must sign in the space provided and provide their title.

If the owner is a trust a trustee must sign in the space provided and provide their title.

If the owner is an estate the personal representative, etc. must sign in the space provided and provide their title.

All attachment(s) must be signed by at least one of the owners and the signature notarized.

If the owners are parties in a land contract, both land contract purchaser and land contract seller must sign and be notarized.



**“Keeping Illegal and Destructive Activity
Out of Rental Property”**

LANDLORD TRAINING PROGRAM

Learn a process that is legal, simple, and fair.

- 5 Hours of training and 100 page manual and other handouts.
- Class and Materials are ALL FREE!
- All classes are conducted at various locations across the city.
- All classes are available on weekends, weekdays and evenings.
- Call for a complete listing of future training dates, times and locations.
- A joint effort between the Milwaukee Police Department and the Department of Neighborhood Services.
- Rated positive by 97% of all attendees.

ADVANCED REGISTRATION IS REQUIRED!

For information or to register call

Karin A. Long, Program Coordinator

24 HOUR VOICE MAIL AVAILABLE – (414) 286-2954

FREE!

Check out the class schedule on the web site listed at www.milwaukee.gov/dns or register by e-mail. Send your name, phone and class date to klong@milwaukee.gov

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